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Proposed Attorneys for
 BRADLEY SHARP, Chapter 11 Trustee

UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF CALIFORNIA
 SACRAMENTO DIVISION

CS360 TOWERS, LLC, a California
 limited liability company,
 Debtor.

Case No. 17-20731

Chapter Number: 11

Docket Control No. DB-001

**EX PARTE APPLICATION TO RETAIN
 AND EMPLOY DOWNEY BRAND LLP AS
 COUNSEL FOR CHAPTER 11 TRUSTEE**

Ex Parte Application – No Hearing Requested

1. This Application is brought pursuant to 11 U.S.C. §§ 327(a) and 330, and Federal Rules of Bankruptcy Procedure 2014(a) and 6003.

2. On February 3, 2017, CS360 TOWERS, LLC, a California limited liability company (“Debtor”), commenced the above-captioned bankruptcy case by filing a voluntary Chapter 11 petition. Pursuant to orders of this court, Bradley Sharp of Development Specialists, Inc. (“Trustee”) was appointed chapter 11 trustee on March 27, 2017.

3. By this application, the Trustee requests an order of the court approving his employment of Downey Brand LLP (“Downey Brand”) to serve as the Trustee’s general counsel

1 to, among other things, assist the Trustee in the investigation, management, and liquidation or
 2 reorganization of the estate's assets, and the administration of the estate, including any necessary
 3 litigation and claims adjudication and possible avoidance actions. The Trustee requests that the
 4 effective date of Downey Brand's employment, if approved, be March 27, 2017.

5 4. The Trustee desires court approval to employ Downey Brand because Downey
 6 Brand's attorneys are experienced and well qualified to handle complex bankruptcy matters,
 7 including on engagements such as the proposed representation described herein. The terms of the
 8 employment consist of an hourly fee per lodestar for all services.

9 5. The current hourly rates for Downey Brand attorneys who may work on the matter
 10 are:

11 **Jamie P. Dreher \$425.00**

12 **Kelly Pope \$370.00**

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 14 6. An hourly fee agreement is in the best interest of the estate for the services
 15 Downey Brand will provide to the Trustee and for the estate.

16 7. Jamie P. Dreher of Downey Brand, who will be lead counsel for the Trustee, has
 17 caused a conflicts check to be performed on behalf of Downey Brand. The names checked
 18 include the names of the Debtor and related entities, the United States Trustee, the names of all of
 19 the persons or entities listed on the mailing matrix submitted by the Debtor and of record on the
 20 docket, and the names of all the parties listed in Schedule G (as parties to rental agreements).
 21 Downey Brand's conflict check procedures include the submission of all of these names into a
 22 database, which thereafter creates a report demonstrating any previous firm representations that
 23 reflect a connection to each respective name searched, whether as a client, adverse to a client, or
 24 in other capacities.

25 8. As disclosed in the supporting declaration of Mr. Dreher ("*Dreher Declaration*"),
 26 Downey Brand currently represents, and has in the past represented, the Trustee in matters
 27 unrelated to the Debtor's case. The United States Trustee and persons employed by the Office of
 28 //

1 the United States Trustee have also been involved in those and other matters involving Downey
2 Brand cases and clients. Other putative connections to parties in interest are as further described
3 in the *Dreher Declaration*.

4 9. To the best of Downey Brand LLP and the attorney's knowledge (other than as
5 described in the *Dreher Declaration*) Downey Brand LLP and the attorneys have no connection
6 with the estate, the Trustee, personnel employed in the office of the United States Trustee, the
7 creditors or any other party in interest, nor do these attorneys represent or hold any interest
8 adverse to the estate in the matters upon which they are to be engaged, and their employment
9 would be in the best interest of the estate and the creditors.

10 10. In addition, the Fee Engagement Letter evidencing the terms of the engagement
11 agreed to between Downey Brand LLP and the Trustee on behalf of the estate is referenced and
12 submitted in connection with *Dreher Declaration*.

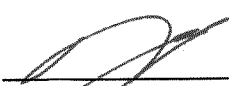
13 WHEREFORE, the Trustee requests that the Court approve his employment of Downey
14 Brand as the Trustee's counsel to perform the professional services required by the Trustee, and
15 further, that the fees and expenses incurred as a result be allowed as an administrative expense,
16 payable from funds of the estate upon (and only after) application pursuant to 11 U.S.C. § 330.

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19 DATED: March 27, 2017

DOWNEY BRAND LLP

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21 By: /s/ Jamie P. Dreher
22 JAMIE P. DREHER
23 Proposed Attorney for Chapter 11 Trustee
BRADLEY SHARP

24 **Reviewed and Approved.**

25
26 By: 
27 Bradley Sharp, Chapter 11 Trustee